

William F. Caton
Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

RE
MAR 13 1997
FCC

March 12, 1997

**Re: Amendment of FM Table of allotments
MM Docket 97-22 - Waelder, Texas
Counter Proposal - Yorktown, Texas**

Dear Mr. Caton,

Gonzales Communications, a Texas Limited Partnership ("Gonzales"), files an original and four copies of its comments/counter proposal in MM Docket 97-22 regarding the request to amend the FM Table of Allotments, Section 73.202, to add FM Channel 242A (96.3 MHz) to the community of Waelder, Texas. Gonzales believes that a more efficient allotment would be to the community of Yorktown, Texas. The city of Yorktown (population 2,207 persons) has no local AM or FM service and has three times the population of Waelder (population 745 persons).

The city of Yorktown was first settled in 1846 by Captain John York and surveyed by Charles Eckhardt, who built a home at the site of Yorktown. It is located in west DeWitt County, approximately 40 miles from Victoria. The main resource of revenue for this city is ranching and agriculture. They currently have a medical clinic through the Cuero Community Hospital, four banks, 2 newspapers and an independent school system including the Headstart Program, an elementary, jr. high and high school. The city also offers adult education programs. Yorktown has a rich heritage of German, Czech and Polish and maintains approximately 14 churches of a wide variety of denominations. This city also has two public parks, a private country club including a golf course, two libraries and an R.V. park, as

615 St. Paul • Gonzales, Texas 78629
210/672-3631 • Fax 210/672-9603

No. of Copies rec'd
List ABCDE

04

William Caton
MM Docket 97-22 - Waelder, TX
March 12, 1997

Page Two

well as various civic groups including Lions, Masons, Knights of Columbus, an economic development corporation and the Catholic Daughters. The smaller communities of Nordheim, Meyersville, Wesatche, and Westhoff surround Yorktown and are consequently served by the businesses in Yorktown.

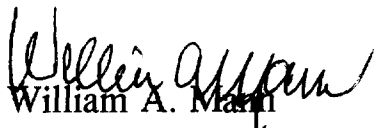
The information contained in these comments/counter proposal and the attached engineering statement of Mullaney Engineering are accurate to the best of my knowledge. I declare under the penalty of perjury that the foregoing is true and correct.

A copy of these comments/counter proposal were sent by first-class U.S. Mail, postage prepaid, to the counsel for the petitioner:

Henry E. Crawford, Esquire
1150 Connecticut Avenue, N.W.
Suite 900
Washington, D.C. 20036

The address stated below is our current address and should a channel be allotted to Yorktown, Texas, Gonzales Communications will promptly file an application for construction permit.

Sincerely,


William A. Mann
Gonzales Communications, LP
707 St. Francis
Gonzales, TX 78629
(210) 672-3631

WAM:dle

Attachments - Engineering Exhibit

JOHN J. MULLANEY
JOHN H. MULLANEY, P.E. (1994)
ALAN E. GEARING, P.E.

MULLANEY ENGINEERING, INC.

9049 SHADY GROVE COURT
GAITHERSBURG, MD 20877

301 921-0115 Voice
301 590-9757 Fax
mullengr@aol.com E-mail

MAR 13 1997
FCC

ENGINEERING EXHIBIT EE:

**COUNTER PROPOSAL - MM DOCKET 97-22
ALLOTMENT OF
FM CHANNEL 242A AT YORKTOWN, TX
IN LIEU OF
FM CHANNEL 242A AT WAELDER, TX**

MARCH 9, 1997

**ENGINEERING STATEMENT IN SUPPORT OF A
PETITION FOR RULE MAKING
TO AMEND
THE FM TABLE OF ASSIGNMENTS**

GONZALES COMMUNICATIONS, A TEXAS LIMITED PARTNERSHIP

**ORIGINAL
SIGNATURE**

MULLANEY ENGINEERING, INC.

ENGINEERING EXHIBIT EE:

**COUNTER PROPOSAL - MM DOCKET 97-22
ALLOTMENT OF
FM CHANNEL 242A AT YORKTOWN, TX
IN LIEU OF
FM CHANNEL 242A AT WAELDER, TX
MM DOCKET 97-22**

TABLE OF CONTENTS:

1. Declaration of Engineer
2. Narrative Statement.
3. Figure 1, Channel Allocation Study for Ch. 242A.
from the Requested Reference Coordinates.
4. Figure 2, Allowable Area Map for Ch. 242A.

MULLANEY ENGINEERING, INC.

DECLARATION

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an engineer in the firm of Mullaney Engineering, Inc., and that firm has been retained by Gonzales Communications, a Texas Limited Partnership, to prepare an engineering statement in support of a Counter Proposal to Amend the FM Table of Assignments in MM Docket 97-22.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.


John J. Mullaney

Executed on the 9th day of March 1997.

ENGINEERING EXHIBIT EE:

COUNTER PROPOSAL - MM DOCKET 97-22
ALLOTMENT OF
FM CHANNEL 242A AT YORKTOWN, TX
IN LIEU OF
FM CHANNEL 242A AT WAELDER, TX
MM DOCKET 97-22

NARRATIVE STATEMENT:

I. GENERAL:

This engineering statement has been prepared on behalf of Gonzales Communications, a Texas Limited Partnership ("Gonzales"). The purpose of this statement is to support a counter proposal requesting that the FM Table of Assignments be amended to allot Ch. 242A at Yorktown, TX, in lieu of Ch. 242A at Waelder, TX, as proposed in MM Docket 97-22. The deadline for filing comments is March 17, 1997.

It should be noted that Ch. 242A would be the First Local Service to be licensed to Yorktown, TX, which is located in De Witt County. The city of Yorktown is listed in the 1990 Census with a population of 2,207 persons. The city of Waelder is listed in the 1990 Census with a population of 745 persons.

It should be noted that the area in question is within 320 kilometers (200 miles) of the U.S. - Mexican Border and, therefore, Mexican concurrence is required.

II. ENGINEERING DISCUSSION:

A. Proposed Site:

Because of required channel separations and FAA constraints, Gonzales requests that this area be used as a special reference point for the allocation.

The following geographic coordinates are for a site which is 9.7 kilometers (6 miles) northeast of Yorktown, Texas:

Latitude: 29° 02' 30"

Longitude: 97° 26' 30"

The proposed area will provide an unobstructed view of the City of License, Yorktown, Texas and is located close enough to serve the entire Community with the required 3.16 mV/M contour.

B. Channel Allocation Study:

Figure 1 is a Channel Allocation Study from the Special Reference Point proposed herein which indicates the required separation in kilometers to all known Licenses, Construction Permits, Open Allocations, pending Applications, and pending Rule Makings. From this study it can be determined that the proposed special reference point exceeds all of the minimum separations. It should be noted that the minor short spacings with KHMC and KSJL are within the 0.5 km tolerance provided for in the rules. Since Yorktown & Waelder are 40 km below the minimum co-channel spacing there is no doubt that both are mutually exclusive.

Figure 2 is a map which illustrates these restrictions and the resulting area in which the

tower site must be located. The map clearly illustrates that there is more than sufficient area to find a proposed antenna site.

C. Public Interest Showing:

Besides providing a first local service, the proposed allotment of Ch. 242A will result in 1.0 mV/m service to over 16,300 persons.

Based upon the above, Gonzales believes that the requested channel allotment which provides First Local Service to a city with a population that is nearly 3 times larger is in the Public Interest and should therefore be granted by the Commission.

III. SUMMARY:

Gonzales Communications, a Texas Limited Partnership, requests that the FM Table of Assignments be amended to allot Ch. 242A at Yorktown, TX, in lieu of Ch. 242A at Waelder, TX.

City	Present	Proposed
Yorktown, Texas	- -	242A

If Ch. 242A is allotted to Yorktown, Gonzales will file for a construction permit and will implement service as soon as practical.

March 9, 1997.


John J. Mullaney

***** FM CHANNEL STUDY NO. 1 - MULLANEY ENGINEERING, INC. GAITHERSBURG, MARYLAND - 7-MAR-97 15:48:59 *****
 ***** LAST UPDATE: 970228 *****

NEW 242 A FM POLARIZATION ERP (KW) HAAT RCANSL
 YORKTOWN TX US HOR PLN DM TILT (METER) (METER)
 29,0230 97,2630 (D.MHSS) HORIZONTAL 6.000 0.000 100.0
 VERTICAL 6.000 0.000 100.0

THE FOLLOWING CONTOURS ARE CALCULATED USING:
 ERP= 6.000 (KW) 7.8 (DBK) HAAT= 100.0 (METERS)

CALCULATED HAAT FROM TOPO DATA BASE

INTERFERING	DOMESTIC	AZIMUTH	HAAT	HAAT	CONTOURS (KM)
	DBU KM	DEGREES	(METERS)	(FEET)	70 DBU 60 DBU
		0.0	107.1	351.5	16.8 29.2
CO CHANNEL (40.0)	86.7	45.0	122.3	401.2	18.1 31.0
1ST ADJACENT (54.0)	43.7	90.0	106.6	349.6	16.8 29.1
2ND ADJACENT (80.0)	9.1	135.0	105.2	345.2	16.7 29.0
3RD ADJACENT (100.0)	2.8	180.0	101.8	333.8	16.3 28.5
		225.0	93.5	306.7	15.5 27.4
PROTECTED (60.0)	28.3	270.0	77.8	255.4	14.1 25.2
		315.0	85.7	281.2	14.8 26.3
CITY GRADE (70.0)	16.2	AVERAGE	100.0	328.1	16.2 28.3

EST SITE ELEVATION : 103.6 m.; 340.0 ft.
 EST RAD CENTER AGL : 83.0 m.; 272.5 ft.
 RAD CENTER A.M.S.L.: 186.7 m.; 612.5 ft.

 THE MEXICAN BORDER IS 261.2 KM ON A BEARING OF 233.1 DEG. TRUE

AZIMUTH		LAT		LONG		ERP (KW)		HAAT		D I-CON		P-CON		IR		IC		REZLT	
FROM	TO	CALL	STS	FILE NUMBER	CITY	ST C	(D.MHSS)	REL CHN	HORZ	VERT	(M)	A F5010	F5050	DIST	RSEP	RSEP	IR	IC	
										(KM)	(KM)	(KM)	(KM)	(KM)	(KM)	(KM)	(KM)		
162.7	342.7	KHMC	LIC	BLH951027KB	Goliad	TX A	28.4057	97.1850	2ND	240A	6.H	6.V	100		41.7	31.			
162.7	342.7	KHMC	CP	BPH960429IF	Goliad	TX A	28.4057	97.1850	2ND	240C3	25.0H	25.0V	98E		41.7	42.			s-OK
85.8	266.3	NEW	CP	BPH950331MH	Edna	TX A	29.0605	96.2719	1ST	241C3	13.0H	13.0V	139		96.3	89.			C
300.0	119.4	KSJLFH	LIC	BLN930921KD	San Anton	TX A	29.3800	98.3750	1ST	241C1	100.0H	100.0V	182		132.8	133.			s-OK
13.8	193.9		ADD	RM8953	Waelder	TX A	29.4150	97.1521	CO	242A	H	V			74.9	115.			HX
COMMENTSite Restriction 4.1km East										**DOCKET**97-22 **									
186.2	6.2	KLTG	LIC	BLH91021JKA	Corpus Ch	TX A	27.4428	97.3608	1ST	243C1	100.0H	100.0V	291D		145.0	133.			
71.9	252.9	KHMX	LIC	BLH831024AD	Houston	TX A	29.3434	95.3036	1ST	243C	100.0H	100.0V	585		196.8	165.			
98.7	279.2	KIOXFM	LIC	BLH910221KA	El Campo	TX A	28.5335	96.2140	3RD	245C1	100.0H	100.0V	299		106.6	75.			

CHANNEL ALLOCATION STUDY

COUNTER PROPOSAL - MM DOCKET 97-22
 242A AT YORKTOWN IN LIEU OF WAELDER, TX

MULLANEY ENGINEERING, INC.
 GAITHERSBURG, MARYLAND

FIGURE 1
 MARCH 1997

